

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Dee Brown, on January 23, 2017 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Douglas (Doug) Kary, Vice Chair (R)
Sen. Sue Malek (D)
Sen. Ryan Osmundson (R)
Sen. Frank Smith (D)
Sen. Nels Swandal (R)
Sen. Gordon Vance (R)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Barbara Pietuch, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 127, 1/17/2017; SB 131, 1/19/2017; HB 39, 1/18/2017;
HB 40, 1/18/2017

Executive Action: HB 39 - BE CONCURRED IN
SB 131 - DO PASS AS AMENDED

00:00:01 Chair Brown

HEARING ON SB 131

Opening Statement by Sponsor:

00:01:34 Sen. Fred Thomas (R), SD 44, opened the hearing on SB 131, Revise the effective date provisions for the Montana medical marijuana act.

00:02:51 Sen. Smith left the meeting.

Proponents' Testimony:

00:09:54 Daniel Fuchs, president, Triangle Public Affairs

00:10:38 Kate Cholena, representing Montana Cannabis Industry Association (MTCIA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:12 Sen. Swandal
00:13:30 Ms. Cholena, MTCIA
00:14:36 Chair Brown
00:15:08 Ms. Cholena
00:15:26 Chair Brown
00:15:47 Ms. Cholena
00:15:53 Chair Brown
00:15:58 Sen. Malek
00:16:19 Chair Brown
00:16:25 Sen. Malek
00:17:33 Sen. Thomas
00:19:30 Sen. Malek
00:20:34 Chair Brown
00:20:42 Sen. Malek
00:21:02 Sen. Thomas
00:22:12 Chair Brown
00:22:32 Sen. Thomas
00:23:09 Chair Brown
00:23:23 Sen. Thomas
00:23:29 Chair Brown
00:23:43 Sen. Thomas
00:24:59 Chair Brown

Closing by Sponsor:

00:25:07 Sen. Thomas

HEARING ON SB 127

Opening Statement by Sponsor:

00:25:44 Sen. Mary Moe (D), SD 12, opened the hearing on SB 127, Revise legislator vacancy laws.

[EXHIBIT](#)(sts16a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:55 Chair Brown

00:33:17 Sen. Moe

00:33:51 Chair Brown

Closing by Sponsor:

00:34:11 Sen. Moe

HEARING ON HB 39

Opening Statement by Sponsor:

00:34:47 Rep. Jacob Bachmeier (D), HD 28, opened the hearing on HB 39, Adopting the most recent federal laws applicable to the National Guard.

Proponents' Testimony:

00:36:18 Major General Matt Quinn, adjutant general, Montana National Guard; director, Department of Military Affairs

[EXHIBIT](#)(sts16a02)

Opponents' Testimony: None

Informational Testimony:

00:39:09 Major Mike Talia, JAG attorney, Montana National Guard (MNG)

Questions from Committee Members and Responses:

00:39:32 Sen. Malek

00:39:58 Mr. Talia, MNG

00:40:15 Sen. Malek

00:40:34 Mr. Talia

00:40:59 Chair Brown

Closing by Sponsor:

00:41:23 Rep. Bachmeier

HEARING ON HB 40

Opening Statement by Sponsor:

00:42:02 Rep. Kim Abbott (D), HD 83, opened the hearing on HB 40, Allow Dissemination of Confidential Criminal Justice Info to Adjutant General.

Proponents' Testimony:

00:43:12 Major General Matt Quinn, adjutant general, Montana National Guard; director, Department of Military Affairs

[EXHIBIT](#)(sts16a03)

Opponents' Testimony: None

Informational Testimony:

00:47:02 Major Mike Talia, JAG attorney, Montana National Guard (MNG)

Questions from Committee Members and Responses:

00:47:25 Sen. Kary

00:47:40 Mr. Talia, MNG

00:48:10 Sen. Kary

00:48:21 Mr. Talia

00:49:03 Chair Brown

00:49:11 Mr. Talia

00:49:16 Chair Brown

00:50:03 Mr. Talia

00:50:42 Sen. Smith entered the meeting.

00:50:55 Chair Brown

00:51:05 Mr. Talia

00:51:35 Sen. Kary

00:51:48 Mr. Talia

00:53:48 Chair Brown

00:53:56 Mr. Talia

Closing by Sponsor:

00:54:03 Rep. Abbott

EXECUTIVE ACTION ON HB 39

00:55:50 **Motion/Vote:** Sen. Kary moved that **HB 39 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Swandal will carry the bill.

DISCUSSION ON SB 131

00:57:04 Chair Brown
EXHIBIT(sts16a04)

00:57:23 Sen. Malek
00:58:06 Rachel Weiss, research analyst, Legislative Services Division (LSD)
00:58:21 Sen. Malek
00:58:39 Ms. Weiss, LSD
00:58:49 Sen. Malek
00:58:56 Ms. Weiss
00:59:26 Chair Brown
00:59:34 Sen. Kary
00:59:51 Sen. Swandal
01:00:06 Sen. Kary
01:00:12 Ms. Weiss
01:00:45 Sen. Malek
01:00:58 Chair Brown

EXECUTIVE ACTION ON SB 131

01:01:08 Chair Brown

01:01:34 **Motion:** Sen. Kary moved that **SB 131 DO PASS**.

Discussion:

01:01:45 Chair Brown
01:01:50 Sen. Malek
01:02:08 Rachel Weiss, research analyst, Legislative Services Division (LSD)

01:02:39 **Motion:** Sen. Malek moved that **SB 131 BE AMENDED WITH A CONCEPTUAL AMENDMENT**.

Discussion:

01:03:08 Chair Brown
01:03:30 Sen. Malek

01:03:37 **Vote:** Motion carried unanimously by voice vote.

01:04:01 **Motion:** Sen. Malek moved that **SB 131 BE AMENDED WITH A CONCEPTUAL AMENDMENT**.

Discussion:

01:04:56 Chair Brown
 01:05:05 Sen. Kary
 01:05:45 Chair Brown
 01:05:48 Sen. Vance
 01:05:59 Sen. Swandal
 01:06:24 Sen. Vance
 01:06:27 Sen. Whitford
 01:06:49 Sen. Osmundson
 01:07:13 Sen. Whitford
 01:07:28 Sen. Malek
 01:08:07 Chair Brown
 01:08:14 Sen. Malek
 01:08:39 Chair Brown
 01:08:59 Sen. Swandal
 01:09:14 Ms. Weiss, LSD
 01:09:51 Chair Brown

01:10:04 **Vote:** Motion failed 2-6 by roll call vote with Sen. Malek and Sen. Whitford voting aye.

01:10:59 **Motion/Vote:** Sen. Whitford moved that **SB 131 BE AMENDED WITH A CONCEPTUAL AMENDMENT**. Motion failed 3-5 by roll call vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting aye.

01:11:17 **Motion/Vote:** Sen. Kary moved that **SB 131 DO PASS AS AMENDED**. Motion carried 6-2 by roll call vote with Sen. Malek and Sen. Whitford voting no.

01:12:50 Chair Brown

ADJOURNMENT

Adjournment: 4:14 PM

Barbara Pietuch, Secretary

bp

Additional Documents:

EXHIBIT([sts16aad.pdf](#))